

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

JACKIE LEFLER and FRED SALMO, on  
Behalf of Themselves and All Others Similarly  
Situated,

Plaintiffs,

v.

DOUGLAS A. HACKER, JANET LANGFORD  
KELLY, RICHARD W. LOWRY, CHARLES  
R. NELSON, JOHN J. NEUHAUSER,  
PATRICK J. SIMPSON, THOMAS E.  
STITZEL, THOMAS C. THEOBALD, ANNE-  
LEE VERVILLE, RICHARD L.  
WOOLWORTH, MARGARET EISER, LEO A.  
GUTHART, JEROME KAHN, JR., STEVEN N.  
KAPLAN, DAVID C. KLEINMAN, ALLAN B.  
MUCHIN, ROBERT E. NASON, JOHN A.  
WING, WILLIAM E. MAYER, CHARLES P.  
MCQUAID, RALPH WANGER, COLUMBIA  
MANAGEMENT GROUP, INC., COLUMBIA  
MANAGEMENT ADVISORS, INC.,  
COLUMBIA WANGER ASSET  
MANAGEMENT, LP, and JOHN DOES NO. 1  
through 100,

Defendants.

Case No. 05-10065 (PBS)

JURY TRIAL DEMANDED

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**NOTICE OF DISMISSAL WITHOUT PREJUDICE**

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Pursuant to Fed. R. Civ. 41(a), plaintiffs Jackie Lefler and Fred Salmo hereby dismiss this action, which has not been certified as a class action, as to all defendants and all claims, without prejudice, with each party to bear its own costs and attorney's fees. Plaintiffs' Counsel no longer

seeks to represent the putative class as defined in Plaintiffs' Complaint filed in this matter.

Defendants consent to the filing of this notice.

Dated: November 4, 2005.

RESPECTFULLY SUBMITTED,

/s/ David Pastor

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IT IS SO ORDERED.

U.S. District Judge